

FINANCE

Senators Baucus, Rockefeller, Daschle, Breaux, Conrad, Graham, Bingaman, Kerry, Torricelli, and Lincoln.

FOREIGN RELATIONS

Senators Biden, Sarbanes, Dodd, Kerry, Feingold, Wellstone, Boxer, Torricelli, and Nelson (FL).

GOVERNMENTAL AFFAIRS

Senators Lieberman, Levin, Akaka, Durbin, Torricelli, Cleland, Carper, and Carnahan.

HEALTH, EDUCATION, LABOR AND PENSIONS

Senators Kennedy, Dodd, Harkin, Mikulski, Bingaman, Wellstone, Murray, Reed, Edwards, and Clinton.

JUDICIARY

Senators Leahy, Kennedy, Biden, Kohl, Feinstein, Feingold, Schumer, Durbin, and Cantwell.

BUDGET

Senators Conrad, Hollings, Sarbanes, Murray, Wyden, Feingold, Johnson, Byrd, Nelson (FL), Stabenow, and Clinton.

RULES

Senators Dodd, Byrd, Inouye, Feinstein, Torricelli, Schumer, Breaux, Daschle, and Dayton.

SMALL BUSINESS

Senators Kerry, Levin, Harkin, Lieberman, Wellstone, Cleland, Landrieu, Edwards, and Cantwell.

VETERANS

Senators Rockefeller, Graham, Akaka, Wellstone, Murray, Miller, and Nelson (NE).

SPECIAL COMMITTEE ON AGING

Senators Breaux, Reid, Kohl, Feingold, Wyden, Bayh, Lincoln, Carper, Stabenow, and Carnahan.

JOINT ECONOMIC

Senators Reed, Kennedy, Sarbanes, and Corzine.

INTELLIGENCE

Senators Graham, Levin, Rockefeller, Feinstein, Wyden, Durbin, Bayh, and Edwards.

INDIAN AFFAIRS

Senators Inouye, Conrad, Reid, Akaka, Wellstone, Dorgan, and Johnson.

ETHICS

Senators Reid, Akaka, and Lincoln.

Mr. LOTT. Mr. President, the Senate will now be in a period for morning business and will adjourn after that morning business until 12 noon on Monday. During Monday's and Tuesday's session, we will consider three Cabinet nominations with the votes to occur at 2:45 p.m. on Tuesday, unless we get an agreement for some change. Right now, Senators should expect recorded votes at 2:45 p.m. on Tuesday.

I must say early, so I will not be accused of not putting Senators on alert, already we are being squeezed on both ends of the week. Senators say: Please don't have any votes after Wednesday night. Oh, please don't have any votes before Tuesday night.

We are not going to be able to do that, and we are going to have to start on Mondays. We are going to have to have votes on Tuesday mornings, Thursdays and Thursday nights, too. I realize it is early in the session and we

are not under the gun, but we do need to get done as soon as possible the other nominations that have been agreed to so we can move to the last nomination and debate and vote on that one.

Those votes on confirmation at 2:45 p.m. will be Elaine Chao to be Secretary of Labor, Gale Norton to be Secretary of the Interior, and Gov. Christine Todd Whitman to be Administrator of the Environmental Protection Agency.

I ask all Senators for their assistance. Senator REID from Nevada is here. I know he has been working on helping move these along, especially Governor Whitman to be Administrator of EPA. I thank Senators on both sides of the aisle for that cooperation.

DISCHARGE AND REFERRAL OF S. 21

Mr. LOTT. Mr. President, I ask unanimous consent that S. 21 be discharged from the Committee on Finance and be referred to the Committees on Budget and Governmental Affairs, per the order of August 4, 1977.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I certainly support the leader's efforts to have us work a full workweek in the Senate Chamber. I do say we can really develop some bad habits. I know our leader has already been requested to see if we can get off on Wednesday nights. We really have to get started having some votes on more than 3 days a week.

I also say to the leader that we worked hard on this side, as I have indicated. There is a spirit of bipartisanship. I think that was helped yesterday with the meeting at the White House.

We really want to move these along, and the record should reflect, except for one nomination, Tuesday afternoon they will all have been completed. We hope in the foreseeable future we will be able to work the final one, debate it, resolve it. Hopefully, that can be done expeditiously.

We are willing to do the best we can. The record should reflect, with the remaining nomination, there are tons of questions. I know the committees are trying to work their way through that so we can have those answers so the debate can take place expeditiously.

Mr. LOTT. Mr. President, if I may respond to Senator REID's comments, with regard to the questions that need to be answered by the designee to be Attorney General, former Senator Ashcroft, this very morning we worked to encourage that those questions be answered as quickly as possible and gotten to the committee. Hopefully, that will be done today, and I under-

stand Senator DASCHLE, if that can be done, is going to work with us to see if we can move that nomination in a reasonable time next week. I appreciate that very much.

Senator REID touched on our meeting with the President yesterday morning. It was a bipartisan, bicameral meeting. I thought it was a very good meeting. Again, the President was reaching out to the Congress and to the American people through their leaders. That was the sixth meeting he has had with congressional leaders in only 3 days as President, or workweek as President. He did have Sunday.

It has been Republicans, Democrats, leaders on education, the elected leaders, but the thing I liked about it, it was not just an effort to reach out with platitudes of courtesy. We got into a discussion on issues, not in great depth, but Senators and Congressmen were able to raise points of concern and interest. I think there was a belief on both sides that it was a very positive meeting. I hope this is the first of many of that type in the months to come.

I will be glad to yield the floor at this time so others may speak.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, before the majority leader leaves, the one referral the majority leader made we just learned has not been cleared by Finance yet.

Mr. LOTT. Mr. President, I thought it was routine business and thought it had been cleared.

ORDER FOR REFERRAL VITIATED

Mr. LOTT. Mr. President, I ask unanimous consent that the agreement be withheld, until we make sure it has been cleared, as always.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

THE GUEST CHAPLAIN

Mr. CARPER. Mr. President, I want to briefly thank Senator BIDEN for inviting Father Trainor to open this session of the Senate with the prayer that he has given. Senator BIDEN shared with us a story of his first visit here as a very young man, and his second visit, at 30 years old, when he was sworn into office, barely just old enough to take the oath.

When I think of his youth, the first time he stepped into this room as a Senator, and the first time I stepped into this room as a Senator earlier this month, I am so old, they named me a member of the Aging Committee. So there is a little bit of difference between his perception and mine. But I am delighted to be here and just

thrilled to be able to welcome Father Trainor today.

JOE BIDEN mentioned that Senator THURMOND is an inspiration to us all. I just want to say Father Trainor continues to serve as an inspiration to us all, whether we be Catholic—or in my case, Protestant—or some other faith.

St. Pat's is in the inner-city part of Wilmington. It is an urban parish and an urban ministry, but people actually worship there from all over the northern part of our State.

I will be privileged to worship there, too, in a month or 2 at the end of our St. Patrick's Day parade, which winds down and ends right at the front door of St. Patrick's Church. We will go in and worship together—people of all faiths. We will appreciate the warm welcome, the hospitality, and the grace that is shared at that time.

I want to say one other word, if I may, about St. Pat's and Father Trainor. In a passage of Scripture in the New Testament, Matthew 25, people are gathered at the Heavenly Gates. Some are going to get in and some are not, and those who are going to be extended the privilege of living there forever in Heaven are told: When I was hungry, you fed me; when I was thirsty, you gave me something to drink; when I was naked, you clothed me; when I was sick and in prison, you came to visit me.

I just want to say at St. Pat's, as much as any church, as much as any parish in our State, that litmus test is still adhered to. And for those who are thirsty or hungry or homeless, or sick, they have a place to go.

I just want to say to Father Trainor, thank you for all that you do to make that the case and for sharing the Gospel with all of us and for really serving as a wonderful example. We welcome you here today. I am delighted to be able to be here to join with Senator BIDEN for this opportunity, and to say that the umbrellas still do work here, as Senator BIDEN alluded to earlier, and so do the elevators.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. I thank the Chair.

JUDGE ROGER GREGORY

Mr. ALLEN. Mr. President, I rise today to address the appointment of Roger L. Gregory to the U.S. Court of Appeals for the Fourth Circuit and the pending approval process of the Senate.

Judge Gregory was appointed to the bench during the congressional recess in December. He was sworn into office last Thursday, on January 18, 2001, in Charlottesville, VA. To many, this recess appointment was unacceptable because the President had nominated Judge Gregory last summer and he was never considered by the Senate or the Judiciary Committee before adjournment sine die.

There are Senators who understandably believe that promises and understandings have been breached concerning recess appointments. However, it is my belief that in Roger Gregory, the Fourth Circuit—and, indeed, America—has a well-respected and honorable jurist who will administer justice with integrity and dignity. He will, in my judgment, decide cases based upon and in adherence to duly adopted laws and the Constitution. I respectfully urge my colleagues and the administration to join me in supporting Judge Gregory.

I want to share with you my observations, and let you all know a bit more about Roger Gregory, the man.

Judge Gregory is a testament to what can be achieved in America through hard work and personal determination. He is the first person in his family to finish high school. He went on to graduate summa cum laude from Virginia State University, where his mother had once worked as a maid. He received his juris doctorate degree—his law degree—from the University of Michigan and later taught at Virginia State as an adjunct professor. Before his investiture as a judge, as a founding partner of the firm of Wilder & Gregory, Judge Gregory was a highly respected litigator representing mostly corporate and municipal clients in his hometown of Richmond, VA.

Last week, Roger Gregory became the first African American to be seated on the Fourth Circuit of the U.S. Court of Appeals.

He has been active in many civic and community affairs. He and I both served together on the Board of the Historic Riverfront Foundation in Richmond. He has served for many years on the board of directors of the Christian Children's Fund, the Richmond Renaissance Foundation, and the Black History Museum, among others.

In 1983, Commonwealth Magazine named Roger Gregory as one of "Virginia's Top 25 Best and Brightest." In 1997, he was a recipient of the National Conference of Christians and Jews Award. He has an AV rating in Martindale-Hubbell, which is the highest combined legal ability and general recommendation rating given to lawyers. He has been a leader of the Old Dominion Bar Association, having served as President from 1990 through 1992.

A few weeks ago, I had the opportunity to personally sit down and talk with and kind of interview Judge Gregory. I am truly impressed and comfortable with his judicial philosophy. Judge Gregory understands that the judicial branch is not the legislative branch. He believes in the rule of law and stated that he would adhere to precedents established by the Fourth Circuit and the Supreme Court to guide his decisions.

During our conversation, Judge Gregory told me that he does not believe

justice is what he called, "result oriented," and instead, he believes the "administration of justice is a process." He was firm in his conviction that his charge as a judge is to "follow the rule of law and not participate in an activist court; as result-oriented judges are very dangerous."

Moreover, Judge Gregory articulated to me an appreciation of the rights, prerogatives, and powers reserved to the States in our Federal system. In particular, Judge Gregory believes the States have broad powers to regulate and pass laws, and that unless the law is clearly repugnant and violates established constitutional principles, he believes the laws enacted by legislators should be upheld and respected by the courts.

Mr. President, and fellow Senators, I am cognizant that this body has the prerogative of "advice and consent" and could deny Judge Gregory a permanent appointment. No one should mistake my support of Judge Gregory's confirmation with approval of the manner in which the former President handled this nomination.

At the time this nomination was first sent to the Senate last summer, I pledged to consider the nominee on his merits but took exception to the lateness of the nomination. It seemed to me the timing was calculated to accomplish a short-term political objective more than to achieve confirmation of a judge, and I felt that Mr. Gregory deserved better treatment.

Whatever the motive, the tardiness of the former President's action put the Senate in an impossible position. And the recess appointment has only compounded the harm. Still, we must act in the best interest of the judiciary and the country. I ask my colleagues today to recognize that no good for our judiciary or our country can be achieved by now striking back at the former President.

Let us rise above this procedural aggravation and act in a statesmen-like manner.

Mr. President, I submit to you and to my colleagues that Judge Roger L. Gregory is an exemplary citizen of the Commonwealth of Virginia. He has a sense of the properly restrained role of the judiciary and is eminently qualified to serve with distinction.

Mr. President, I respectfully ask my colleagues to hold the requisite hearing, after which I believe you will share my positive impression of Judge Roger Gregory, and thereafter confirm him to the U.S. Court of Appeals for the Fourth Circuit.

Thank you, Mr. President.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that I may proceed irrespective of the adjournment order.

The PRESIDING OFFICER. Without objection, it is so ordered.